DOCUMENT RESUME

ED 422 669 EA 029 356

| | |
|---|---|
| TITLE | Office for Civil Rights. Annual Report to Congress, Fiscal Year 1995. |
| INSTITUTION | Office for Civil Rights (ED), Washington, DC. |
| PUB DATE | 1996-00-00 |
| NOTE | 20p.; For the 1994 report, see EA 209 355. |
| PUB TYPE | Reports - Descriptive (141) |
| EDRS PRICE | MF01/PC01 Plus Postage. |
| DESCRIPTORS | Annual Reports; *Civil Rights; Disability Discrimination; Educational Discrimination; Elementary Secondary Education; *Equal Education; Higher Education; Law Enforcement; Sex Discrimination; *Student Rights |
| IDENTIFIERS | *Office for Civil Rights |

ABSTRACT

The Office for Civil Rights (OCR) enforces the laws that prevent discrimination on the basis of race, national origin, sex, disability, and age in America's schools, colleges, and universities. To gauge how the department is fulfilling that mission, a description of the OCR's policy-guidance efforts, complaint investigations, and enforcement activities for Fiscal Year 1995, is provided here. The report focuses on how the OCR is changing and how the office has moved from a reactive to a proactive approach to civil rights enforcement. The office's efforts to resolve complaints of illegal discrimination are described, along with details of how the OCR initiates investigations in serious cases of illegal discrimination, including those involving program admissions. Ways in which the OCR empowers others to prevent illegal discrimination, such as guides that help schools conduct an evaluation of their compliance with legislation, onsite consultations, conference participation, training classes, and workshops, are discussed. An overview of how the OCR has extended its mission and continues to strive to serve populations in need is provided. Three appendices list issues on staffing and budgeting, publications of the OCR, and addresses and telephone numbers of regional OCR offices. (RJM)

**********
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
**********

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)
☑ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

ED 422 669

# Annual Report to Congress

## Fiscal Year 1995

**U.S. Department of Education**
**Office for Civil Rights**

EA 029 356

**US DEPARTMENT OF EDUCATION**
**OFFICE FOR CIVIL RIGHTS**

# FISCAL YEAR 1995 ANNUAL REPORT TO CONGRESS

## TABLE OF CONTENTS


Introduction: OCR Is Changing . . . . . 1

OCR Resolves Complaints of Illegal Discrimination . . . . . 2

OCR Initiates Investigations in Serious Cases of Illegal Discrimination . . . . . 4

OCR Empowers Others to Prevent Illegal Discrimination . . . . . 6

OCR Continues to Improve How It Does Its Work . . . . . 8

Appendix A: Staffing and Budget . . . . . 10

Appendix B: Publications . . . . . 11

Appendix C: Office Addresses and Telephone Numbers . . . . . 13

## INTRODUCTION: OCR IS CHANGING

The Office for Civil Rights enforces the laws that prevent discrimination on the basis of race, national origin, sex, disability and age in America's schools, colleges and universities. OCR ensures that remedies to discrimination that has occurred are strong and educationally sound. Through education and outreach, OCR prevents illegal discrimination from occurring in the first place.

OCR works with communities and their schools. Information from local educators and civil rights advocates informs OCR's development of its proactive agenda. Investigations may require on-site visits to interview witnesses and gather evidence. In a case of illegal discrimination, parent monitoring groups and the involvement of local education resources will enhance the strength of a remedial plan. Administrative hearings for cases that cannot be resolved through negotiation with school officials typically take place in the jurisdiction where the school is located. In all cases, strong communication with local educators and civil rights advocates reduces the adversarial nature of OCR's law enforcement activities, and promotes preventive approaches to avoiding illegal discrimination.

In 1993, this Administration inherited a reactive approach to civil rights enforcement. More than 420 complaints of discrimination from the public had been unresolved for more than a year. The US General Accounting Office and witnesses before Congress year after year criticized OCR for its failure to protect students from egregious cases of discrimination. Credibility among parents and advocates, as well as among school, college and university officials who had to work with the agency, was low. Because the vast majority of the agency's resources were spent reacting to complaints that arrived in the morning mail, glaring instances of long-standing discrimination went unredressed.

By 1995, OCR had built a proactive civil rights law enforcement program that could credibly claim to protect America's most vulnerable students from illegal discrimination. Resolution of 178 agency-initiated actions in FY 1995 alone (up from 82 resolutions in FY 1993) resulted in equal access to education for thousands of additional students facing illegal discrimination. This proactive agenda in no way compromised OCR's commitment to the prompt and appropriate resolution of each complaint of discrimination from the public. OCR resolved more than 5,500 complaints from the public in FY 1995, more than ever before, on average within 120 days, more promptly than ever before. At the same time, OCR's staff reduction from 854 Full Time Equivalent (FTE) in FY 1993 to 788 in FY 1995 evidenced the agency's commitment to efficiency.

Most of OCR's critical activities take place in its enforcement offices. As a result of changes of the past few years, 87% of OCR staff in FY 1996 work outside of Washington (or in the newly-established District of Columbia enforcement office), and virtually all decisions affecting OCR's cases and their resolution are made in the field. In Washington, a small Office of the Assistant Secretary provides overall leadership and coordination of OCR's four enforcement divisions. A program/legal group supports the work of the enforcement divisions, and provides important policy coordination and legal advice with other parts of the

Department and government. A resource group provides centralized services for the enforcement divisions and the public in the areas of customer service, information technology, budget and personnel. OCR thereby achieves the maximum concentration of effort on its critical work of identifying, stopping and remedying illegal discrimination against America's students.

## OCR RESOLVES COMPLAINTS OF ILLEGAL DISCRIMINATION

When a member of the public complains to OCR of discrimination, OCR gets to work. Because of improvements in how OCR does its job, OCR started work on virtually all complaints in FY 1995 within ten days. OCR knows that problems that are addressed immediately can often be resolved more amicably and less intrusively. Thus, OCR staff are on the telephone or on site as quickly as possible, working with parents and schools to identify and remedy problems of illegal discrimination. In cases where agency intervention is not appropriate, or where the facts provide an insufficient basis to find that there is illegal discrimination, OCR can also end its involvement more quickly.

OCR's new attitude and new approaches continue to produce results. OCR resolved 5,559 complaints of illegal discrimination in FY 1995, up from 4,480 in FY 1993. In almost 1,800 cases, schools, colleges and universities took corrective action that resolved any underlying problem of illegal discrimination. The public, on average, waited 119 days for OCR's resolution of a complaint in FY 1995, down from 131 days in FY 1993.

Fifty-four percent of all complaints received by OCR alleged discrimination based on disability. OCR enforces Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability, 29 U.S.C. 794 (implementing regulation at 34 C.F.R. Part 104), and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. 12131 (implementing regulation at 28 C.F.R. Part 35), which prohibits discrimination on the basis of disability.

Parents of a Native American high school student with a disability (Dandy-Walker hydrocephalus) in the Klamath-Trinity Unified School District (California), for example, complained that their son was excluded from the regular school program because of his disability. The district was sending non-certified teachers to his home. OCR determined that the student should not have been excluded from attending school, and that his education had been severely affected. Because of the extended time the student had been inappropriately kept from attending school, and because the student was already a sophomore, the district agreed to remedy its past inaction by forming a trust to fund the student's future evaluations, transitional services, and his enrollment in a postsecondary program. Illegal discrimination was ended, and a strong, educationally sound remedy put in place.

At the postsecondary level, a complaint was filed against Salem State College (Massachusetts) alleging a violation of Section 504 and Title II of the Americans with Disabilities Act (ADA) of 1990. The complainant charged the College discriminated against him by not making necessary academic adjustments. The complainant has a language-based

learning disability that affects his processing of oral and written information. His requests for several adjustments, including untimed testing, note takers, and access to lecture notes prior to attending classes, were denied. Following OCR's intervention, Salem State repaid $1,020 toward the complainant's tuition loan. Salem also is implementing new procedures so that students requesting academic adjustments are assisted promptly. As a result of becoming educated on this issue, Salem is now voluntarily assisting Massachusetts' other public colleges to develop methods for promptly and appropriately determining appropriate adjustments for students with disabilities.

Twenty percent of complaints received in FY 1995 alleged illegal discrimination on the basis of race or national origin. OCR enforces Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin, 42 U.S.C. 2000d et seq. (implementing regulation at 34 C.F.R. Parts 100 and 101).

One student at Purdue University (Indiana), for example, complained to OCR that his ability to participate in the university's educational program had been threatened by racial harassment. Under Title VI of the Civil Rights Act of 1964 (Title VI), an educational institution may be held responsible for racial harassment if the harassment is sufficiently severe or pervasive to create a hostile environment and the institution fails to respond adequately. After working with OCR, the University agreed to the need to develop procedures for enforcing its anti-harassment policy. The University decided to establish a "DiversiTeam" consisting of faculty, students and staff who were specially trained to offer workshops for all recognized student organizations, fraternities, sororities, cooperative houses and residence halls during the 1994-95 academic year. The University's actions ensure that the approximately 36,000 students on its main campus, and the 33,000 students on its regional campuses, are able to benefit from its educational programs regardless of their race or national origin.

Seven percent of complaints received in FY 1995 alleged illegal discrimination on the basis of sex. OCR enforces Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in educational programs, 20 U.S.C. 1681 et seq. (implementing regulation at 34 C.F.R. Part 106).

OCR investigated a complaint filed against the Chicago Public Schools, District No. 299 (Illinois), for example, and found that few female students at the elementary level participated on the district's interscholastic elementary teams. The district was not making sufficient efforts to provide athletic opportunities for female athletes at that level. In addition, OCR found the district was not meeting the interests of female high school athletes. In response to OCR's findings, the district is now providing a post-season softball tournament and a volleyball camp for girls, and has agreed to establish interscholastic volleyball competition for girls at the elementary level. In subsequent years, the district has also agreed to establish additional teams and sports until girls' interests and abilities in athletic competition are fully met.

OCR's remaining complaints were filed on multiple discrimination bases, on age discrimination or on other discrimination bases. OCR also enforces the Age Discrimination Act of 1975, which prohibits discrimination on the basis of age, 42 U.S.C. 6101 et seq. (implementing regulation at 34 C.F.R. Part 110).

## OCR INITIATES INVESTIGATIONS IN SERIOUS CASES OF ILLEGAL DISCRIMINATION

Not all illegal discrimination can be stopped or remedied by responding to complaints that arrive from the public. Agency-initiated cases, typically called compliance reviews, permit OCR to target resources on compliance problems that appear particularly acute or national in scope. Targeted compliance reviews maximize the impact of OCR's limited resources and balance our enforcement program. Selection of reviews is based on various sources of information, including survey data and information provided by complainants, education groups, media and the public. In FY 1995, OCR resolved 178 agency-initiated actions, compared to 90 in FY 1994 and 82 in FY 1993.

The racially discriminatory overinclusion of minority students in special education classes is of growing concern to parents, educators and OCR. In Montgomery County (Alabama), for example, statistics and anecdotal information suggested that the school district disproportionately assigned minority students to classes for educable mentally retarded (EMR) students. While the district had as a criterion for placement in EMR that a student must score lower than 70 on an IQ test, OCR's investigation uncovered a pattern of placing African American students with IQ scores above that cutoff in EMR classes. The inappropriate placement of students in EMR can remove them from the core academic curriculum, and may lead to lower levels of achievement, decreased likelihood of postsecondary advancement and more limited employment opportunities. OCR has required the district to re-evaluate each decision to place an African American student in EMR and to make appropriate placements based solely on educational needs. African American students will be given any remedial assistance needed to bring them back into full participation in regular education, and to full opportunity for academic achievement.

A number of OCR-initiated cases target the needs of students who need to learn English in order to achieve access to educational programs and opportunities in the larger society. OCR found that some limited English proficient (LEP) students (particularly Southeast Asian students) in the Lawrence Public Schools (Massachusetts), for example, were not being served, that others were not adequately served, and the teaching staff was not adequately trained. Many LEP students were placed in special education programs segregated from other school programs. The in-grade retention and drop-out rates of LEP students were unusually high. Several linguistically identifiable schools were overcrowded and inferior to other schools. For example, one school with a 96 percent Hispanic enrollment had no library, limited recreation areas and overcrowded classrooms. The school was rodent-infested.

As a result of OCR's intervention, the district agreed to meet the needs of LEP students and to provide staff training to ensure teachers are qualified in second language teaching methods. Lawrence also agreed to provide transitional bilingual education or English as a Second Language to all LEP students and provide interpreters so that parents can more fully understand and make decisions concerning the educational needs of their children. The district is committed to proper referral, evaluation and placement of students who may need special education. School facilities and resources will no longer be influenced by the racial or ethnic composition of a school's student enrollment. These actions are expected to improve educational opportunities for more than 3,400 LEP students.

Other OCR-initiated cases target the overinclusion of LEP students in special education. In the Union Free School District of the Tarrytowns (New York), for example, a disproportionate number of Hispanic students were placed in special education. OCR reviewed whether the district's special education program, including the pre-referral, referral, evaluation, and placement of students, violated Title VI or Section 504. The evidence indicated that the district enrolled a large number of new immigrant students, many with little or no prior educational experience. School staff acknowledged difficulty in evaluating these students, especially in distinguishing educational deprivation and English language proficiency from learning disabilities. OCR found that evaluations were not conducted timely because Union Free employed only one bilingual psychologist. The district was using an invalid screening instrument. Hispanic students also were placed in self-contained special education classes for longer periods of time than their non-Hispanic classmates. The district is now remedying each of the identified violations. These actions are expected to increase educational opportunities for the more than 700 Hispanic students in the Union Free district, including the 134 students currently receiving special education services.

OCR also targeted illegal racial harassment (as defined under Title VI) in some schools and universities. The resolution of such cases often highlights the value of strong working relationships between OCR and schools. In Edmonds County (Washington), for example, OCR planned to investigate allegations of severe racial harassment at one high school. Early in the investigative process, a longer-term cooperative venture developed for solving racial and ethnic tensions in the entire school district. Edmonds County now has a plan in place that has strict rules for punishing harassment. However, Edmonds also established, on a voluntary basis, a curriculum that will address intergroup relations, intercultural communication, stereotyping, and peer mediation. Teachers will be trained in teaching tolerance and student leaders will conduct equity workshops. The partnership has allowed Edmonds and OCR to save substantial time and resources as well as help teachers, parents and students create a safe and disciplined environment for learning.

OCR in FY 1995 maintained a docket of agency-initiated Title IX cases. An intercollegiate athletics review was undertaken at Georgetown University (Washington, D.C.), for example, because of possible substantial disparities in athletic opportunities being provided to male and female students. As a result of OCR's work, the university has hired a women's soccer coach, increased publicity services for women's teams, and adjusted assignment and

compensation of coaches. The University will survey athletic interests and abilities and add women's teams if the need is indicated. Georgetown has made commitments to eliminate substantial disparities regarding equipment and supplies, support services and recruitment of women athletes. Such cases help to underline that schools and universities will, for the most part, work with OCR to remedy illegal discrimination. Georgetown has expressed appreciation for OCR's analysis, and has already taken steps to increase opportunity for women athletes in the upcoming year.

OCR has ongoing obligations to ensure the desegregation of formerly racially segregated systems of higher education. In FY 1995, OCR developed a "partnership/stakeholder" approach as a more positive and effective approach to affording equal access to higher educational opportunities for African Americans in states with histories of segregation in higher education systems. In keeping with the Supreme Court's 1992 *Fordice* decision, OCR is assessing the compliance status of several states. Florida and Pennsylvania are working with OCR to address not only the desegregation compliance standards under the Supreme Court's decision but also the issues of access to educational excellence -- concerns that track the interest of the Department in increasing access to high-quality education for all students.

While in the vast majority of cases OCR can come to agreement with schools, colleges and universities on the steps necessary to stop and remedy illegal discrimination, this is unfortunately not always the case. In one case, Southwestern Virginia Training Center, a state-operated facility for the developmentally disabled, provided no accommodation for employees with physical disabilities who were fully able to perform the essential functions of their jobs. The case was initiated as the result of a complaint from a residential aide at the facility who was fired because of this policy. The Center finally agreed, after administrative enforcement proceedings were initiated, to amend its discriminatory policy. However, the Center refused to reimburse the employee for lost wages and benefits. As a result, an administrative enforcement hearing was conducted. On June 30, 1995, an Administrative Law Judge (ALJ) issued an initial decision finding the Center in violation of Section 504. The ALJ also issued a proposed order to terminate Federal funds to the Center. The case is now on appeal before the Department's Civil Rights Reviewing Authority.

OCR also initiated cases in the areas of illegal discrimination in program admissions; under-representation of women, girls and minorities in math and science and other high track courses due to legally impermissible reasons; and illegal segregation.

## OCR EMPOWERS OTHERS TO PREVENT ILLEGAL DISCRIMINATION

OCR's 788 FTE staff in FY 1995 resolved more than 5,700 complaint-driven and agency-initiated cases. This number, however, is small in relation to the nation's tens of thousands of schools and thousands of postsecondary institutions. OCR therefore recognizes that its efforts alone are insufficient to stop illegal discrimination in education. Students, parents and educators must have the knowledge and skills to prevent illegal discrimination from occurring in the first place. OCR pursues a number of approaches to the empowerment of others.

One major project in FY 1995 was the publication of a guide to help schools conduct an evaluation of their compliance with the Americans with Disabilities Act of 1990 (ADA). Written in straightforward, non-legalistic language, the guide reviews requirements of the ADA and offers suggestions and work sheets to assess compliance. Initial feedback suggests that the guide does in fact help school districts in complying with the requirements of the ADA. The guide was made available free of charge to each of the nation's 14,880 school districts.

A document was issued on July 7, 1995 that sets forth the legal issues surrounding disproportionate representation of minority students in special education, a persistent problem in the nation's schools. The guidance is being used by OCR staff in investigations, and has gained a larger audience outside the agency. Work also commenced on compiling strategies and models that hold promise in preventing and remedying illegally discriminatory practices in assignment to special education classes. OCR worked with Project Forum, a part of the National Association of State Directors of Special Education, to develop a resource guide for regions to use with local schools and school districts in devising resolution agreements on this compliance issue.

The Department of Education confirmed in September 1995 that the guidance on race-targeted student financial aid (issued in February 1994) had not changed as a result of the United States Supreme Court's decision in *Adarand Constructors v. Pena*, 115 S.Ct. 2097 (1995). As a result, the Office for Civil Rights continues to implement this guidance in case investigations and to provide technical assistance to institutions that seek to develop or implement financial aid programs pursuant to the policy and federal court decisions.

An Electronic Library containing OCR regulations, policies and important case-related documents was launched during the year. This system, which will reside on OCR's Wide Area Network, permits easy access to these materials by OCR staff. Future improvements will include public access through the Department's World Wide Web site.

OCR works with the Department's Office of Elementary and Secondary Education to ensure that school districts' plans for funding under the Department of Education's Magnet Schools Assistance Program (MSAP) do not foster discrimination. OCR responded to approximately 300 requests for technical assistance from school districts and consortia preparing MSAP applications and certified the civil rights assurances of 171 applicants for MSAP funding in FY 1995.

Pursuant to vocational education regulations, all states monitor their programs, and those of their subrecipients, to ensure compliance with Federal civil rights laws. OCR is responsible for ensuring that each state has met its commitments. To eliminate burdensome reporting requirements and provide greater flexibility to states, OCR reinvented its evaluation requirements. A large part of OCR's new approach involved bringing state officials together to learn from each other. States now spend more time learning about and implementing better practices, and less time producing paper.

The aim of OCR's efforts is in all cases to prevent violations of the civil rights laws. Technical assistance is provided through such activities as on-site consultations, conference participation, training classes, workshops and meetings, as well as through written information and tens of thousands of telephone consultations annually. OCR thus empowers students, parents and educators to secure the equal access to educational opportunity required by law.

## OCR CONTINUES TO IMPROVE HOW IT DOES ITS WORK

The Office for Civil Rights in the last three years has fundamentally redesigned its approach to civil rights enforcement. For complaints from the public, the emphasis is now on prompt and appropriate resolution of any underlying civil rights problems, rather than on the production of documents summarizing agency findings. Mindful of its obligation to end illegal discrimination whether or not the agency has received an individual complaint, OCR has built an enforcement program that proactively uncovers, stops and remedies egregious cases of illegal discrimination. OCR's program of empowering others also took significant strides forward in FY 1995.

OCR has extended its consultation efforts through its conversations with school staff and interested community groups to pinpoint problems and establish partnerships to resolve civil rights issues. Many of OCR's offices have also developed customer service teams to be more responsive to our partners and stakeholders. Throughout OCR, labor management partnerships have been fully implemented.

After extensive redesign efforts, OCR implemented an update to its PC-based Case Information System that eliminated costly mainframe programs. This enhanced system reduces staff time needed to keep track of OCR's cases and streamlines reporting, while saving money.

OCR's core organizational unit is now the Case Resolution Team. Groups of attorneys, investigators and support staff in OCR's 12 enforcement offices work on the same team to promptly and appropriately resolve cases of illegal discrimination. Containing all the skills and resources necessary, the teams have authority to reach final determinations in all but a small minority of OCR cases. This innovative approach, which earned OCR a 1994 Vice Presidential Heroes of Reinvention ("Hammer") Award, was implemented throughout OCR in FY 1995.

In the coming year, OCR will complete its reorganization into four enforcement divisions, each containing three of OCR's enforcement offices, including a new enforcement office based in Washington, DC. OCR will maintain appropriate centralization, while operating with lower travel budgets and benefitting from increased local involvement and strong working relationships that accrue from its on-the-ground presence in multiple locations. When fully implemented, the division management team will conduct enforcement activities, planning, training, and administration across office lines. This approach was in large measure made possible by OCR initiating its investment in appropriate information

technology, and by OCR's use of team approaches at the management as well as the staff level.

As OCR's number of staff decreases under government-wide downsizing, we know that OCR must continue to do much more to stop and remedy illegal discrimination. Fewer staff can appropriately resolve a greater number of civil rights cases, if they have the tools at hand to do so. OCR will need to invest more heavily in technology and outside expert support in order to maintain its core capacity to identify, investigate and remedy complex cases of discrimination; promptly and appropriately resolve complaints of discrimination from the public; and provide the education, outreach and technical assistance needed to prevent discrimination from occurring and recurring in America's schools, colleges and universities. OCR's upgrading of its technology infrastructure will also enable OCR to provide an appropriate level of service to our customers and the ready access to information that will enable parents and students to play a more active role in securing equal access to quality education.

OCR's post-rescission funding level in FY 1995 was $58,236,000. Under the FY 1996 continuing resolutions, OCR has been funded at a level of only $53,951,000, putting at serious risk the agency's improvements. Adequate investment is required to provide funding for OCR's staff and non-personnel needs including costs of prosecuting cases, development of strong, educationally sound remedies, staff improvement, legal research, publications and outreach, and the national civil rights surveys postponed in FY 1996 because of its funding level under the continuing resolutions. The President has proposed a budget for OCR in FY 1997 of $60,000,000. This is less than a dollar per year for each of America's students. An end to illegal discrimination in the nation's schools deserves no less.

Respectfully submitted,

Norma V. Cantú

Norma V. Cantú
Assistant Secretary for Civil Rights

April 2, 1996

## APPENDIX A

### STAFFING & BUDGET

OCR's authorized staff ceiling for FY 1995 was 833 full-time equivalent (FTE) positions (made up of full-time permanent and other-than-full-time permanent staff). OCR was unable to staff up to its FTE ceiling due to the dollar amount appropriated.

The appropriation after sequester was $58,236,000 for FY 1995. The following table provides budget and staffing information on OCR for the past seven fiscal years.

### BUDGET AND STAFFING INFORMATION

| FY | President's Budget Estimate to Congress | Appropriation | Appropriation After Sequester Supplemental | Congressional Budget FTE Level | Actual FTE Usage |
|---|---|---|---|---|---|
| 1989 | 41,341,000 | 40,845,000 | 41,635,000 | 820 | 789 |
| 1990 | 45,178,000 | 45,178,000 | 44,572,000 | 820 | 815 |
| 1991 | 49,900,000 | 48,404,371 | 48,404,371 | 820 | 797 |
| 1992 | 56,000,000 | 55,000,000 | 53,625,000 | 855 | 848 |
| 1993 | 61,400,000 | 56,857,000 | 56,402,000 | 858 | 854 |
| 1994 | 56,570,000 | 56,570,000 | 56,570,000 | 851 | 821 |
| 1995 | 61,457,000 | 58,325,000 | 58,236,000 | 833 | 788 |

## APPENDIX B
## PUBLICATIONS

Contact any OCR office (see Appendix C for listing) to obtain any of these publications.

### General

OCR's Annual Reports to Congress, Fiscal Years 1990 through 1995

ED Facts: Information About the OCR

Notice of Nondiscrimination

How to File A Discrimination Complaint

Federal Regulations, Vocational Education Program Guidelines (March 21, 1979)

Vocational Education and Civil Rights

The Guidance Counselor's Role in Ensuring Equal Educational Opportunity

Nondiscrimination in Employment Practices in Education

What Schools Can Do to Improve Math and Science Achievement by Minority and Female Students

### Title VI of the Civil Rights Act of 1964 (Title VI)

Title VI Regulations, **Federal Register**, May 9, 1980

Education and Title VI (available in English and Spanish)

Student Assignment in Elementary and Secondary Schools and Title VI Magnet Schools: Promoting Equal Opportunity and Quality Education

Historically Black Colleges & Universities and Higher Education Desegregation

The Provision of an Equal Education Opportunity to Limited-English Proficient Students

### Title IX of the Education Amendments of 1972 (Title IX)

Title IX Regulations, **Federal Register**, May 9, 1980

Federal Regulations, Policy Interpretation on Title IX Intercollegiate Athletics (December 1979)

Clarification of Intercollegiate Athletics Policy Guidance: The Three-Part Test (January 16, 1996) (includes Dear Colleague Letter, January 16, 1996)

Title IX Grievance Procedures: An Introductory Manual

Title IX and Sex Discrimination (available in English and Spanish)

Title IX Athletics Manual (Regulations, Policy Interpretations & OCR Fact Sheet)

Equal Opportunity in Intercollegiate Athletics: Requirements Under Title IX of the Education Amendments of 1972

Student Assignment in Elementary & Secondary Schools and Title IX

Sexual Harassment: It's Not Academic

Teenage Pregnancy and Parenthood Issues Under Title IX

**Section 504 of the Rehabilitation Act of 1973 (Section 504)**

Section 504 Regulations, **Federal Register**, May 9, 1980 (includes December 1990 Amendment)

Auxiliary Aids & Services for Postsecondary Students with Handicaps

Discipline of Students with Handicaps in Elementary and Secondary Schools

Free Appropriate Public Education for Students with Handicaps

Placement of School Children with AIDS

Student Placement in Elementary and Secondary Schools and Section 504

Civil Rights of Students with Hidden Disabilities Under Section 504

Rights of Individuals with Handicaps Under Federal Law (available in English and Spanish)

**Age Discrimination Act of 1975**

Age Discrimination Regulations, **Federal Register**, July 27, 1993

**Americans with Disabilities Act**

Compliance with the Americans with Disabilities Act: A Self-Evaluation Guide for Public Elementary and Secondary Schools

US Department of Justice pamphlet on Americans with Disabilities Act

## APPENDIX C
## OFFICE ADDRESSES & TELEPHONE NUMBERS

**US Department of Education**
**Office for Civil Rights**
330 C Street, SW Suite 5000
Washington, DC 20202-1100
(202) 205-5413

**Region I**
**Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont**
Office for Civil Rights, Region I
U.S. Department of Education
J.W. McCormack Post Office and Courthouse
Room 222, 01-0061
Boston, MA 02109-4557
(617) 223-9667; TDD (617) 223-9695

**Region II**
**New Jersey, New York, Puerto Rico, Virgin Islands**
Office for Civil Rights, Region II
U.S. Department of Education
75 Park Place, 14th Floor
New York, NY 10278-0082
(212) 637-6466; TDD (212) 637-6333

**Region III**
**Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia**
Office for Civil Rights, Region III
U.S. Department of Education
3535 Market Street
Room 6300, 03-2010
Philadelphia, PA 19104-3326
(215) 596-6787; TDD (215) 596-6794

**Region IV**
**Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee**
Office for Civil Rights, Region IV
U.S. Department of Education
Post Office Box 2048, 04-3010
101 Marietta Tower–Suite 2000
Atlanta, GA 30301-2048
(404) 331-2954; TDD (404) 331-7236

**Region V**
**Illinois,Indiana, Michigan, Minnesota, Ohio, Wisconsin**
Office for Civil Rights, Region V
U.S. Department of Education
401 South State Street
Room 700C, 05-4010
Chicago, IL 60605-1202
(312) 886-3456; TDD (312) 353-2540

**Region VI**
**Arkansas, Louisiana, Mississippi, Oklahoma, Texas**
Office for Civil Rights, Region VI
U.S. Department of Education
1200 Main Tower Building
Suite 2260, 06-5010
Dallas, TX 75202-9998
(214) 767-3959; TDD (214) 767-3639

**Region VII**
**Iowa, Kansas, Kentucky, Missouri, Nebraska**
Office for Civil Rights, Region VII
U.S. Department of Education
10220 North Executive Hills Boulevard
8th Floor, 07-6010
Kansas City, MO 64153-1367
(816) 880-4202; TDD (816) 891-0582

**Region VIII**
**Arizona,Colorado,Montana, New Mexico, North Dakota, South Dakota, Utah, Wyoming**
Office for Civil Rights, Region VIII
U.S. Department of Education
Federal Building, Suite 310, 08-7010
1244 Speer Boulevard
Denver, CO 80204-3582
(303) 844-5695; TDD (303) 844-3417

**REGION IX**
**California**
Office for Civil Rights, Region IX
U.S. Department of Education
Old Federal Building
50 United Nations Plaza, Room 239, 09-8010
San Francisco, CA 94102-4102
(415) 556-7700; TDD (415) 437-7786

**Region X**
**Alaska, Hawaii, Idaho, Nevada, Oregon, Washington, American Samoa, Guam, Trust Territory of the Pacific Islands**
Office for Civil Rights, Region X
U.S. Department of Education
915 Second Avenue, Room 3310, 10-9010
Seattle, WA 98174-1099
(206) 220-7880; TDD (206) 220-7907

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
THE ASSISTANT SECRETARY

APR 2 1996

The President
The White House
Washington, D.C.

Dear Mr. President:

Pursuant to Section 203(b)(1) of the Department of Education Organization Act (DEOA), the Assistant Secretary for Civil Rights is required to submit an annual report to the Secretary of Education, the President, and the Congress summarizing the compliance and enforcement activities of the Office for Civil Rights and identifying significant civil rights or compliance problems.

In accordance with the requirements of the DEOA, I am respectfully transmitting the Fiscal Year 1995 Annual Report to Congress, which covers significant accomplishments in civil rights enforcement in education.

Respectfully,

Norma V. Cantú

Norma V. Cantú
Assistant Secretary for Civil Rights

Enclosure



400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202-1100

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
THE ASSISTANT SECRETARY

APR 2 1996

The Honorable Albert Gore, Jr.
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Pursuant to Section 203(b)(1) of the Department of Education Organization Act (DEOA), the Assistant Secretary for Civil Rights is required to submit an annual report to the Secretary of Education, the President, and the Congress summarizing the compliance and enforcement activities of the Office for Civil Rights and identifying significant civil rights or compliance problems.

In accordance with the requirements of the DEOA, I am respectfully transmitting the Fiscal Year 1995 Annual Report to Congress, which covers significant accomplishments in civil rights enforcement in education.

Sincerely,

Norma V. Cantú

Norma V. Cantú
Assistant Secretary for Civil Rights

Enclosure



400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202-1100

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
THE ASSISTANT SECRETARY

APR 2 1996

The Honorable Newt Gingrich
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Pursuant to Section 203(b)(1) of the Department of Education Organization Act (DEOA), the Assistant Secretary for Civil Rights is required to submit an annual report to the Secretary of Education, the President, and the Congress summarizing the compliance and enforcement activities of the Office for Civil Rights and identifying significant civil rights or compliance problems.

In accordance with the requirements of the DEOA, I am respectfully transmitting the Fiscal Year 1995 Annual Report to Congress, which covers significant accomplishments in civil rights enforcement in education.

Sincerely,

Norma V. Cantú

Norma V. Cantú
Assistant Secretary for Civil Rights

Enclosure



400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202-1100

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

APR 2 1996

The Honorable Richard W. Riley
Secretary of Education
Washington, D.C. 20202

Dear Secretary Riley:

Pursuant to Section 203(b)(1) of the Department of Education Organization Act (DEOA), the Assistant Secretary for Civil Rights is required to submit an annual report to the Secretary of Education, the President, and the Congress summarizing the compliance and enforcement activities of the Office for Civil Rights and identifying significant civil rights or compliance problems.

In accordance with the requirements of the DEOA, I am respectfully transmitting the Fiscal Year 1995 Annual Report to Congress, which covers significant accomplishments in civil rights enforcement in education.

Sincerely,

Norma V. Cantú

Norma V. Cantú
Assistant Secretary for Civil Rights

Enclosure



400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202-1100